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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **OAKLAND DIVISION**

12 FREECYCLESUNNYVALE, a California
unincorporated association,

13 Plaintiff,

14 v.

15 THE FREECYCLE NETWORK, INC., an
16 Arizona corporation,

17 Defendant.

CASE NO. C O6-00324 CW

**NOTICE OF LODGING OF AUTHORITY
IN SUPPORT OF THE FREECYCLE
NETWORK, INC.'S MOTION TO
DISMISS COMPLAINT UNDER RULE
12(b)(6)**

Date: March 31, 2006
Time: 10:00 a.m.
Place: Courtroom 2 (Oakland)
Judge: Honorable Claudia Wilkin

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20 Defendant The Freecycle Network hereby lodges with the Court the following
21 attached treatise excerpt available on Westlaw which is cited in its Memorandum of Points and
22 Authorities in Support of The Freecycle Network's Motion to Dismiss.
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NOTICE OF LODGING OF AUTHORITY
CASE NO. C O6-00324 CW

1 1. A true and correct copy of J. THOMAS MCCARTHY, MCCARTHY ON TRADEMARKS
2 AND UNFAIR COMPETITION section 32:51 (4th ed.) is attached hereto as Exhibit 1.

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4 2. A true and correct copy of Dunn Computer Corp. v. Loudcloud, Inc., 133
5 F.Supp.2d 823 (E.D. Va. 2001) is attached hereto as Exhibit 2.

6
7 DATED: February 22, 2006

PERKINS COIE LLP

8 By _____/s/_____
9 Paul J. Andre
10 Lisa Kobialka
11 Sean Boyle
12 Attorneys for Defendant
13 The Freecycle Network
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